



Rich Mattern, Mayor

The West Fargo City Commission met on Monday, October 3, 2011, at 5:30 P.M. Those present were Rich Mattern, Mark Simmons, Mike Thorstad and Duane Hanson. Absent was Lou Bennett. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that "Contract Change Order No. 1 for Sewer, Water, Storm Sewer & Street Improvement District No. 1229 (Shadow Creek 1<sup>st</sup> Addition)" is to be added to Non-Agenda. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the addition as noted. No opposition. Motion carried.

Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Minutes of September 19, 2011. No opposition. Motion carried.

The Commission reviewed Building Permits #406 - 431 along with the Building Department Activity Report dated October 3, 2011. The Building Department Monthly Comparison Report for September 2010/September 2011 was also reviewed.

There were no Commissioner Committee Reports.

Commissioner Hanson moved and Commissioner Simmons seconded to approve the following items on the Consent Agenda:

**Bills**

Change Order #1 on Drain 45

Sewer, Water, Storm & Street Improvement District No. 1232 (Midland Addition Area- Private): Approve Plans and Specifications

Changes to Road Class Map

No opposition. Motion carried.

Assistant Public Works Director Chris Brungardt appeared before the Commission on the Memorandum of Understanding regarding Reconstruction of 12<sup>th</sup> Avenue North. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Memorandum of Understanding. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a Renaissance Zone Lease Application for Neal's Industrial Painting, Inc., and advised that the West Fargo Economic Development Advisory Committee recommended approval. Commissioner Thorstad moved and Commissioner Simmons seconded to approve the Renaissance Zone Lease Application on condition updated information is provided to Staff in order to have everything accurate on file. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Contract Change Order No. 1 for Sewer, Water, Storm Sewer & Street Improvement District No. 1229 for Shadow Creek 1<sup>st</sup> Addition. This change order includes clay and topsoil that was not included in the original bid. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve Contract Change Order No. 1 for Sewer, Water, Storm Sewer & Street Improvement District No. 1229. No opposition. Motion carried.

City Administrator James Brownlee gave the following report to the Commissioners:

West Fargo Economic Development Advisory Committee will be meeting Tuesday, October 4<sup>th</sup>, to discuss a Cargill PILOT application and Fargo Forklift grants

Sharon Schacher's Retirement Open House will be Friday, October 7<sup>th</sup> from 3-6 PM

Joint meeting with City Staff, Park, and School District will be held

West Fest Wrap-up Committee met. 2012 West Fest will be held September 15, 2012

Report for the Audit for the Year Ended December 31, 2010 provided to each Commissioner and will be placed on the next Agenda

West Fargo Police Department applied for Cops Grant and were awarded two positions (100% paid) for three years

City Attorney Brian Neugebauer appeared before the Commission regarding the Notice of Confirmation of Assessment Lists and advised that Street Improvement District No. 2196 and Water and Sewer Improvement District No. 1207 Assessment Lists were revised. City Attorney Brian Neugebauer advised that the City Commission needs to reaffirm six of the districts and amend No. 2196 and No. 1207, and advised that no written protests were received. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to approve the assessment lists as confirmed by the Special Assessment Commission of the City of West Fargo on Street Improvement District No. 2208, Water and Sewer Improvement District No. 1213, Water and Sewer Improvement District No. 1218, Water and Sewer Improvement District No. 1220, Water and Sewer Improvement District No. 1221, Water and Sewer Improvement District No. 1222 and as amended on Street Improvement District No. 2196 and Water and Sewer Improvement District No. 1207. No opposition. Motion carried.

Tracey Anderson of Lake Agassiz Regional Council appeared before the Commission on the Community Development Block Grant for Caterpillar and suggested that the City apply for additional block grant funding of \$100,000 from the Governor's Fund in addition to the \$100,000 from the Regional Fund since the project is \$640,000. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Resolution of Sponsorship. No opposition. Motion carried.

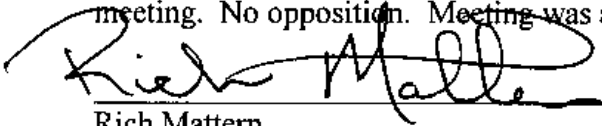
City Attorney Brian Neugebauer appeared before the Commission on Street Improvement Districts No. 2213 and No. 2214. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Simmons seconded to approve the Resolution Determining that not Sufficient Protests were Filed on Improvement in Street Improvement Districts No. 2213 and No. 2214. No opposition. Motion carried.

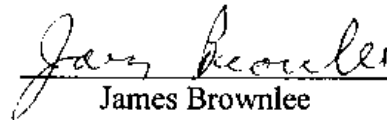
Senior Planner Steven Zimmer appeared before the Commission on North Pond at the Preserve 1<sup>st</sup> Addition rezoning from Agricultural to Light Commercial. A public hearing was held on the rezoning. Attorney Dan Bueide of the Vogel Law Firm appeared on behalf of the developer. The hearing was closed. Commissioner Thorstad moved and Commissioner Simmons seconded to place on First Reading the rezoning of North Pond at the Preserve 1<sup>st</sup> Addition from Agricultural to Light Commercial subject to all conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Henning First Addition rezoning from Agricultural to Rural Estate District. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Thorstad seconded to place on First Reading the rezoning of Henning First Addition from Agricultural to Rural Estate District subject to the five conditions listed in the Staff Report. No opposition. Motion carried.

There was no correspondence.

Commissioner Simmons moved and Commissioner Hanson seconded to adjourn the meeting. No opposition. Meeting was adjourned.

  
Rich Mattern  
President of the Board

  
James Brownlee  
City Auditor